

DELTA PROTECTION COMMISSION

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E-Mail: dpc@citlink.net Home Page: www.delta.ca.govContra Costa County Board of
SupervisorsSacramento County Board of
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Supervisors

Solano County Board of Supervisors

Yolo County Board of Supervisors

Association of Bay Area Governments

Sacramento Area Council of
Governments

San Joaquin Council of Governments

Central Delta Reclamation Districts

North Delta Reclamation Districts

South Delta Reclamation Districts

West Delta Reclamation Districts

Bay Delta Authority

Department of Boating and Waterways

Department of Fish and Game

Department of Food and Agriculture

Department of Water Resources

State Lands Commission

State Parks

Delta Landowner –
Outdoor RecreationDelta Landowner –
Production AgricultureDelta Landowner –
Wildlife Conservation**To:** Department of Water Resources, FloodSafe Program**From:** Linda Fiack, Executive Director
Delta Protection Commission *LF*
(lindadpc@citlink.net, 916-776-2292)**Subject:** Response to Request for Comments/Questions on FloodSafe
Draft EIP Guidelines**Date:** October 20, 2008**SB 27 (Sacramento-San Joaquin Delta Emergency Preparedness Act of 2008)
relationship to FloodSafe Early Implementation Program**

SB 27 created a Sacramento-San Joaquin Delta Multi-Hazard Coordination Task Force to be created by OES upon receipt of appropriate funding, to include OES, Delta Protection Commission, DWR and one representative from each of the 5 Delta counties. The Task Force is required to make recommendations to OES regarding an emergency preparedness and response strategy for the Delta region with a report due to the Legislature and the Governor from the Task Force prior to January 1, 2011.

The EIP Guidelines call for an "Area Plan" to accompany an application for FloodSafe funds for levee improvement or other flood protection infrastructure projects. An "Area" is defined as "a separable hydraulic basin protected by a system of flood management infrastructure." An "Area Plan" is defined as "a plan with a schedule, cost estimate, and proposed cost-sharing prepared by a civil engineer and adopted by the Local Agency (and all other local agencies that will participate financially in the Area Plan and which have responsibility for the flood management infrastructure in the Area) and proposed cost sharing for achieving a specific level of flood protection for an Area. An Area Plan may describe one or more Area Projects for a single Area.

An "Area Project" is defined as "the work within an Area, comprised of one or more Projects that is required to achieve a specific Level of Protection or Design Level of Performance for an Area."

The SB 27 required emergency preparedness and response strategy report for the Delta should be related to an "Area Plan" for flood infrastructure improvements in the Delta and vice-versa. The SB 27 emergency response strategy report will address who and what is at risk in the Delta from

catastrophic flooding and how to protect people and assets. Also, the Central Valley Flood Protection Plan to be adopted by 2012 by the Flood Protection Board should use the SB 27 required strategy report.

We would like clarification from DWR that the Early Implementation Program would reimburse the cost to prepare the SB 27 required strategy report so that it can serve as the policy basis for an Area Plan for the Delta. The apparent timeline difference between SB 27 and the EIP requirements would hopefully be viewed as minor, as the benefits of joint emergency planning throughout the process of SB 27 implementation would continually assist levee project design modifications, construction, and maintenance in the support of EIP goals. Under this scenario, the five Delta counties working in cooperation with the Delta reclamation districts (local agencies) would likely be the applicants for EIP funding.

The importance of the SB 27 report to flood control improvements in the Delta is that for the first time, the Governor's Office of Emergency Services, Delta Protection Commission, Department of Water Resources and the 5 Delta counties will be working together on emergency preparedness and response in the Delta. They will produce a coordinated strategy for protecting lives and property in the event of a flood. It seems that this effort should be tied to flood control improvements that the state will partially fund under the EIP. This will also be an opportunity for the 5 Delta county offices of emergency services, who will sit on the SB 27 Task Force, to coordinate their work in emergency response with the local agencies who will be submitting Area Plans under the EIP.

It is difficult to separate large flood control construction projects from the multi-agency discussions that need to happen to ensure the right projects are created and supported in the first place. The result is a better use of money that is supported by all stakeholders and efficiently allocated.

2. Recreation Objective

The EIP Guidelines include a "Recreation Objective" entitling the Local Agency to an increased percentage of State cost share if the Project makes a significant contribution towards the objective by providing recreational improvements such as picnic areas, foot and bike paths and providing public access to all or nearly all of the Project works, except where public access would constitute a threat to public safety or habitat or would constitute a trespass on private property.

We would like clarification that if the Area Plan(s) submitted by Delta local agencies includes a commitment to provide for a segment of the Great California Delta Trail (SB 1556), that the EIP would include an increased State cost share for planning and/or pre-design as well as construction. We raise this issue because although the legislation mandating the Delta Protection Commission to plan the Delta Trail calls for a Delta-wide approach for all five counties, as of this time. Funding to prepare the Delta Trail Plan is available in only two of the five Delta counties, Solano and Contra Costa. **Also we would like to see language in the final EIP Guidelines, "Recreation Objective" that includes reference to the Great California Delta Trail as an example of a "foot and bike path".**